

Schedule A

DESCRIPTION OF WBMS EXPENSES TO CO-LOCATE

Schedule A

Transmitter Installation and Proof	4,500.00
TLS-V8 CH10 Omnidirectional Antenna	37,400.00
800 ft. 1-5/8" Foam Heliax line, hangers, connectors, etc.	10,582.30
Microwave-Transmitter/Receiver, Circulators, Filters	32,000.00
Monitoring Equipment- Video Tek DM-141A TV Demod Sony PVM-14M2U Monitor	3,900.00
Shipping + Delivery	4,500.00
TOTAL:	92,882.30

Schedule B

WBMS CONSTRUCTION PERMIT APPLICATION

ENGINEERING EXHIBIT

Application for Construction Permit

prepared for

Gene A. Blailock
WBMS-CA Jackson, Mississippi

Facility ID 23473
Ch. 10 3 kW

Table of Contents

FCC Form 301-CA, Section III

Exhibit 4

Statement A	Nature of the Proposal - Allocation Considerations
Figure I	Coverage Contour Comparison
Table I	Interference Analysis Results Summary

Exhibit 8

Statement B	Environmental Considerations
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This material supplies a "hard copy" of the engineering portions of this application as entered February 17, 2004 for filing electronically. Since the FCC's electronic filing system may be accessed by anyone with the applicant's name and password, and electronic data may otherwise be altered in an unauthorized fashion, we cannot be responsible for changes made subsequent to our entry of this data and related attachments.

Section III - Engineering											
TECHNICAL SPECIFICATIONS											
Ensure that the specifications below are accurate. All items must be completed. The response "on file" is not acceptable.											
NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.											
TECH BOX											
1	Channel 10										
2	Frequency Offset <input type="radio"/> No offset <input checked="" type="radio"/> Zero offset <input type="radio"/> Plus offset <input type="radio"/> Minus offset										
3	Antenna Location Coordinates (NAD 27) Latitude Degrees 32 Minutes 12 Seconds 47 <input checked="" type="radio"/> North <input type="radio"/> South Longitude Degrees 90 Minutes 22 Seconds 54 <input checked="" type="radio"/> West <input type="radio"/> East										
4	Antenna Structure Registration Number 1053668 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Notification filed with FAA										
5	Antenna Location Site Elevation Above Mean Sea Level 128 meters										
6	Overall Tower Height Above Ground Level 224 meters										
7	Height of Radiation Center Above Ground Level 198 meters										
8	Maximum Effective Radiated Power (ERP) Towards Radio Horizon 3 kW										
9	Maximum ERP in any Horizontal and Vertical Angle 3 kW										
10	Transmitting Antenna Be sure selecting Directional "Off-the-shelf" refers to Search for Antenna Information under CDBS File http://svartifoss2.fcc.gov/prod/cdbb/prod/cdbb_pa.htm . Make sure that the Standard Parameters are checked Yes and that the relative field values shown match your values. Enter the Manufacturer (Make) and Model exactly as displayed in the Antenna Search. <input checked="" type="radio"/> Nondirectional <input type="radio"/> Directional "Off-the-shelf" <input type="radio"/> Directional composite Manufacturer DIF Model FLS-V8										
Directional Antenna Relative Field Values <input checked="" type="checkbox"/> N/A (Nondirectional or Directional "Off-the-shelf")											
Rotation (Degrees) <input type="checkbox"/> No Rotation											
Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	
Additional Azimuths											

Relative Field Polar Plot

CERTIFICATION

11 Interference: The proposed facility complies with all of the following applicable rule sections. Check all that apply.	
Analog TV broadcast station protection. See 47 C.F.R. Section 73.6011.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 4]
Digital TV station and DTV Table of Allotments protection. See 47 C.F.R. Section 73.6013.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5]
Low Power TV, TV translator, Class A, and Digital Class A station protection. See 47 C.F.R. Sections 73.6012 and	<input checked="" type="radio"/> Yes <input type="radio"/> No

73.6014	See Explanation in [Exhibit 6]
1 and mobile station protection. See 47 C.F.R. Section 73.6020	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 7]
12 Environmental Protection Act The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e. the facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine RF compliance, an Exhibit is required .	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 8]
(By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines)	

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name JOSEPH M. DAVIS, P.E.	Relationship to Applicant (e.g., Consulting Engineer) CONSULTING ENGINEER	
Signature	Date 2/17/2004	
Mailing Address CAVALLI, MERTZ & DAVIS, INC. 7839 ASHTON AVENUE		
City MANASSAS	State or Country (if foreign address) VA	Zip Code 20109-
Telephone Number (include area code) 7033929090	E-Mail Address (if available) JDAVIS@CMDCONSULTING.COM	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 520(a)) AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503)

Exhibits

Exhibit 4

Description: EXHIBIT 4 - STATEMENT A

EXHIBIT 4 - STATEMENT A - ATTACHED AS A PDF FILE

Attachment 4

Description
Exhibit 4 - Statement A

Exhibit 8

Description: EXHIBIT 8 - STATEMENT B

EXHIBIT 8 - STATEMENT B - ATTACHED AS A PDF FILE

Attachment 8

Description
Exhibit 8 - Statement B

Exhibit 4 - Statement A
NATURE OF THE PROPOSAL
ALLOCATION CONSIDERATIONS

prepared for
Gene A. Blailock
WBMS-CA Jackson, Mississippi
Facility ID 23473
Ch 10 3 kW

Gene A. Blailock ("*Blailock*") is the licensee of Class A Television station WBMS-CA, Channel 10, Jackson, MS, Facility ID 23473 (BLTVA-20031020AAN). The instant proposal seeks to relocate the WBMS-CA facility to a new transmitter site, increase the antenna height, and change to omnidirectional operation. The changes proposed herein conform to a "minor change" as defined by §74.3572(a)(2) of the Commission's Rules.

The proposed transmitter site is an existing tower, having FCC Antenna Structure Registration number 1053668. The proposed WBMS-CA antenna will side mount on this tower structure, and no change in overall structure height is proposed. The map attached as **Exhibit 4 - Figure 1** provides the 68 dBμ contour locations for the licensed and proposed WBMS-CA facility.

Allocation Details

The instant proposal complies with the standard requirements of §73.6011 (analog television station protection) and §73.6012 (analog Class A TV, Low Power TV, and TV Translator station protection) of the Commission's Rules with respect to all facilities, except for the following:

<u>Call</u>	<u>Status</u>	<u>Ch</u>	<u>File Number</u>	<u>City, State</u>
KLFY-TV	Lic	10	BLCT-20000731AET	Lafayette, LA
KTVI (TV)	Lic	10	BLCT-19870817KF	El Dorado, AR

Standard protection per §73.6013 is provided to all pertinent digital television ("DTV") stations, as described in the following.

OET Bulletin 69 Analysis

Regarding interference protection to the analog facilities listed above and all DTV facilities, a detailed interference study was conducted in accordance with the terrain dependent Longley-Rice point-to-point propagation model, per the Commission's Office of Engineering and Technology

Exhibit 4 - Statement A
NATURE OF THE PROPOSAL
ALLOCATION CONSIDERATIONS
(page 2 of 2)

Bulletin number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, July 2, 1997 ("OET-69")¹ The interference study examined the change in interference as experienced by these stations that would result from the proposed facility. The results, summarized in the attached **Exhibit 4 - Table 1**, showed that the proposed operation will not cause any new interference to any of these stations in excess of the Commission's 0.5 percent rounding tolerance.

If a waiver of §73.6011 is required with respect to KLFY-TV and KTVE, then one is requested for the reasons described above on behalf of the applicant. Thus, as described above, interference protection as required will be provided to primary TV, digital TV, Low Power TV, TV translator stations, and Class A television stations.

Other Allocation Considerations

The nearest FCC monitoring station is 538.6 km distant at Powder Springs, GA. This exceeds by a great margin the threshold minimum distance specified in §73.1030(c)(3) that would suggest consideration of the monitoring station. There are no AM broadcast stations within 3.2 km (2 miles) of the proposed site, according to information extracted from the Commission's engineering database.

¹The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein. A standard cell size of 2 km was employed. Comparisons of various results of this computer program (run on a Sun processor) to the Commission's implementation of OET-69 show excellent correlation.

Exhibit 4 - Table 1
INTERFERENCE ANALYSIS RESULTS SUMMARY

prepared for
Gene A. Blailock
 WBMS-CA Jackson, Mississippi
 Facility ID 23473
 Ch 10 3 kW

<u>Stations Considered</u>	<u>City, State Channel</u>	<u>Distance (km)</u>	<u>Baseline Population (1)</u>	<u>Service Population (2)</u>	<i>---- Unique Interference ---- from proposal</i>	
					<u>Population (3)</u>	<u>Percentage (4)</u>
WLBT-DT (App 15 kW) BPCD1-20031112ADF	Jackson, MS 9	0.1		----- no interference caused by proposal -----		
WLBI-DT (PRM 15 kW) BPRM-20000803AAB	Jackson, MS 9	0.1		----- no interference caused by proposal -----		
WMAB-DT (Ref) (MM Docket 01-301)	Mississippi State, MS 10	171.2	422,000	329,892	1,333	0.32
WMAB-DT (Lic)	Mississippi State, MS 10	171.2	422,000	329,892	1,333	0.32
KTVE(TV) (Lic)	El Dorado, AR 10	198.0	668,136	504,610	970	0.15
KLFY-TV (Lic)	Lafayette, LA 10	277.0	1,195,339	785,031	35	0.00

Notes

- (1) For DTV facilities, greater of NTSC or DTV Service Population, from FCC Table
For NTSC facilities, population within noise-limited contour
- (2) Interference-free service population per OET-69 before consideration of proposal
- (3) Net change in population receiving interference resulting from proposal (a number in parenthesis indicates a *reduction* in interference)
- (4) Proposal's impact in terms of percentage, equals (3)/(1) times 100 percent not to exceed zero when rounded to the nearest whole percent

The determination of stations for consideration and the determination of baseline population and interference percentages were made as described in the Commission's August 10, 1998 Public Notice "Additional Application Processing Guidelines for Digital Television"

EXHIBIT 4 - FIGURE 1
COVERAGE CONTOUR COMPARISON

prepared February 2004 for
Gene A. Blalock
WBMS-CA Jackson, Mississippi
Ch 10 3 kW
Cavell, Mertz & Davis, Inc
Manassas Virginia

Scale 1:750,000
0 10 20 30 km

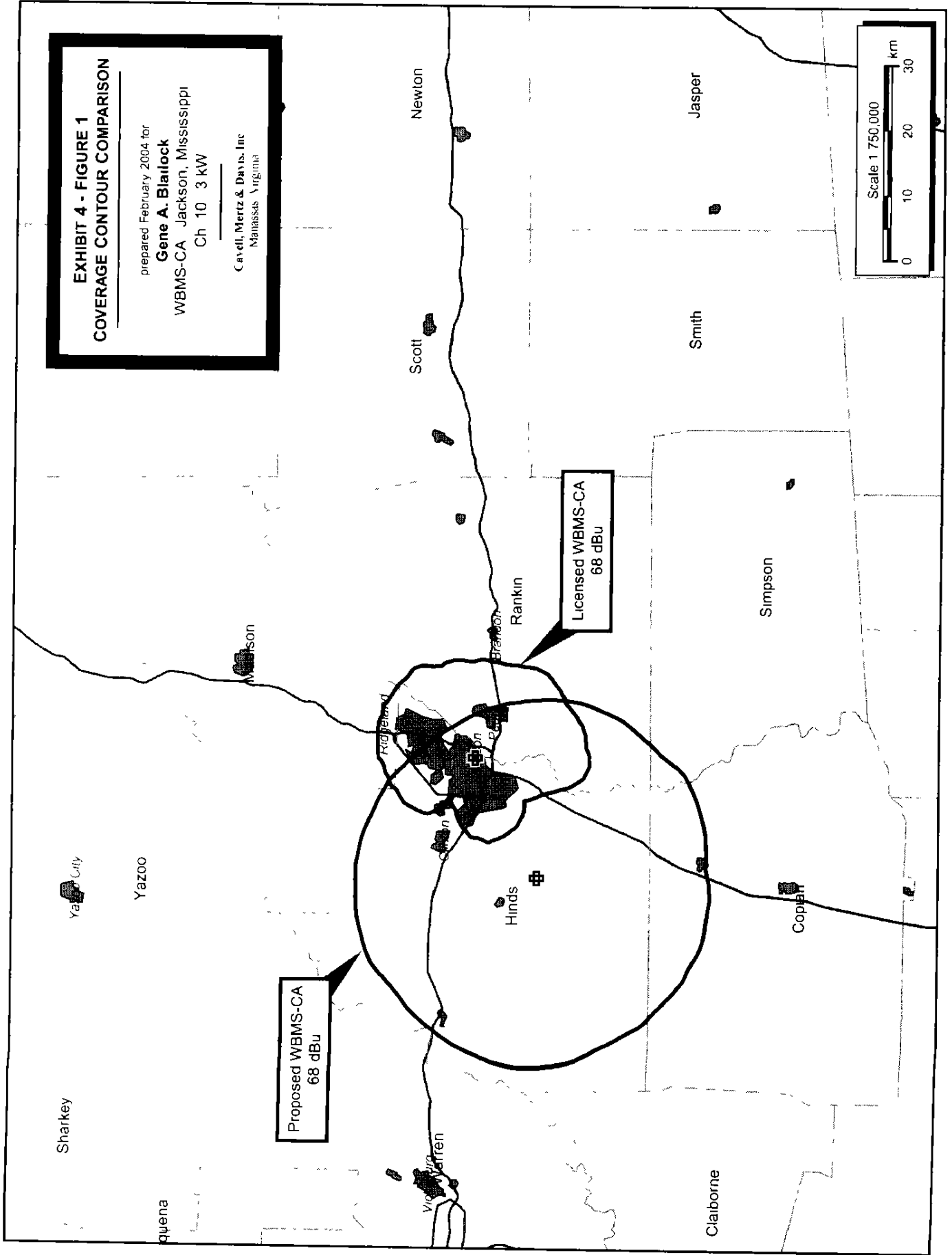


Exhibit 4 - Table 1
INTERFERENCE ANALYSIS RESULTS SUMMARY
 prepared for
Gene A. Blailock
 WBMS-CA Jackson, Mississippi
 Facility ID 23473
 Ch 10 3 kW

<u>Stations Considered</u>	<u>City, State Channel</u>	<u>Distance (km)</u>	<u>Baseline Population (1)</u>	<u>Service Population (2)</u>	<i>---- Unique Interference ---- from proposal</i>	
					<u>Population (3)</u>	<u>Percentage (4)</u>
WLBI-DT (App 15 kW) BPCDT-20031112ADF	Jackson, MS 9	0.1			---- no interference caused by proposal ----	
WLBT-DT (PRM 15 kW) BPRM-20000803AAB	Jackson, MS 9	0.1			---- no interference caused by proposal ----	
WMAB-DT (Ref) (MM Docket 01-301)	Mississippi State, MS 10	171.2	422,000	329,892	1,333	0.32
WMAB-DT (Lic)	Mississippi State, MS 10	171.2	422,000	329,892	1,333	0.32
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Notes

- (1) For DTV facilities, greater of NTSC or DTV Service Population, from FCC Table
For NTSC facilities, population within noise-limited contour
- (2) Interference-free service population per OET-69 before consideration of proposal
- (3) Net change in population receiving interference resulting from proposal (a number in parenthesis indicates a *reduction* in interference)
- (4) Proposal's impact in terms of percentage, equals (3)/(1) times 100 percent not to exceed zero when rounded to the nearest whole percent

The determination of stations for consideration and the determination of baseline population and interference percentages were made as described in the Commission's August 10, 1998 Public Notice "Additional Application Processing Guidelines for Digital Television"

Exhibit 8 - Statement B
ENVIRONMENTAL CONSIDERATIONS
prepared for
Gene A. Blailock
WBMS-CA Jackson, Mississippi
Facility ID 23473
Ch 10 3 kW

The instant proposal is not believed to have a significant environmental impact as defined under Section 1 1306 of the Commission's Rules. Consequently, preparation of an Environmental Assessment is not required

Nature of The Proposal

Gene A. Blailock proposes herein to relocate the transmitting facility for WBMS-CA, Channel 10, Jackson, MS to an existing tower structure. The use of existing transmitting locations has been characterized as being environmentally preferable by the Commission, according to Note 1 of §1 1306 of the Commission's Rules.

No increase in overall structure height is proposed, thus no change in structure lighting or marking is anticipated. Therefore, it is believed that this application may be categorically excluded from environmental processing pursuant to §1 1306 of the Commission's Rules.

Human Exposure to Radiofrequency Radiation

The proposed operation was evaluated for human exposure to radiofrequency energy using the procedures outlined in the Commission's OET Bulletin No. 65 ("OET 65"). OET 65 describes a means of determining whether a proposed facility exceeds the radiofrequency exposure guidelines adopted in §1.1310. Under present Commission policy, a facility may be presumed to comply with the limits specified in §1 1310 if it satisfies the exposure criteria set forth in OET 65. Based upon that methodology, and as demonstrated in the following, the proposed transmitting system will comply with the cited adopted guidelines.

Exhibit 8 - Statement B
ENVIRONMENTAL CONSIDERATIONS
(page 2 of 3)

The WBMS-CA antenna will be installed such that its center of radiation is 198 meters above ground level. An effective radiated power ("ERP") of 3 kilowatts (10% aural), horizontally polarized, will be employed. The "uncontrolled/general population" limit specified in §1.1310 for Channel 10 (frequency band 192 - 198 MHz) is 200 $\mu\text{W}/\text{cm}^2$.

OET-65's formula for NTSC television transmitting antennas as used for calculating signal density in this analysis is.

$$S = (33,4098) (F^2) (0.4 \times ERP_{\text{visual}} + ERP_{\text{aural}}) / D^2$$

Where.

S	=	Plane Wave Power Density ($\mu\text{W}/\text{cm}^2$) at specified point
F	=	Relative Field Factor
ERP_{visual}	=	total visual ERP in Watts
ERP_{aural}	=	total aural ERP in Watts
D	=	distance in meters from center of radiation to the specified point.

Using this formula (assuming a worst-case relative field factor of 1.0), the proposed facility would contribute a power density of 1.3 $\mu\text{W}/\text{cm}^2$ at two meters above ground level near the antenna support structure, or 0.65 percent of the general population/uncontrolled limit. At ground level locations away from the base of the tower, the calculated RF power density is even lower, due to the increasing distance from the transmitting antenna.

§1.1307(b)(3) states that facilities contributing less than five percent of the exposure limit at locations with multiple transmitters are categorically excluded from responsibility for taking any corrective action in the areas where their contribution is less than five percent. Since the instant situation meets the five percent exclusion test at all ground level areas, the impact of any other facilities near this site may be considered independently from this proposal. Accordingly, it is believed that the impact of the proposed operation should not be considered to be a factor at or near ground level as defined under §1.1307(b).

Exhibit 8 - Statement B
ENVIRONMENTAL CONSIDERATIONS
(page 3 of 3)

Safety of Tower Workers and the General Public

As demonstrated herein, excessive levels of RF energy will not be caused by the proposal at publicly accessible areas at ground level near the antenna supporting structure. Consequently, members of the general public will not be exposed to RF levels in excess of the Commission's guidelines. Nevertheless, tower access will continue to be restricted and controlled through the use of a locked fence. Additionally, appropriate RF exposure warning signs will continue to be posted.

With respect to worker safety, it is believed that based on the preceding analysis, excessive exposure would not occur in areas at ground level. A site exposure policy will continue to be employed protecting maintenance workers from excessive exposure when work must be performed on the tower in areas where high RF levels may be present. Such protective measures may include, but will not be limited to, restriction of access to areas where levels in excess of the guidelines may be expected, power reduction, or the complete shutdown of facilities when work or inspections must be performed in areas where the exposure guidelines will be exceeded. On-site RF exposure measurements may also be undertaken to establish the bounds of safe working areas. The applicant will coordinate exposure procedures with all pertinent stations.

Conclusion

Based on the preceding, it is believed that the instant proposal may be categorically excluded from environmental processing under Section 11306 of the Rules, hence preparation of an Environmental Assessment is not required.

Joint Request Exhibit 2

**BLAILOCK WITHDRAWAL OF OPPOSITION
TO WLBT-DT CHANNEL CHANGE**

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Amendment of Section 73.622(b), Table of Allotments
Digital Television Broadcast Stations (Jackson, Mississippi)
MM Docket No. 01-43
RM-10041


Gene Blalock
WBMS-LP, Jackson, Mississippi (Facility Id. 23473)
Application for Class A License
File No. BLTVA-20010712AHC

WBMS-CA, Jackson, Mississippi (Facility Id. 23473)
Application for Assignment of License from Gene Blalock
to Mississippi Television, LLC
File No. BALTVA-20030401CJ2

Dear Ms. Dortch

As licensee of WBMS-CA (Jackson, Mississippi), I respectfully withdraw my opposition to the amendment of the DTV Table of Allotments as set forth in a Notice of Proposed Rule Making in the above-referenced proceeding by which Channel 9 would be substituted as the allotment for WLBT-DT (Jackson, Mississippi). This withdrawal of opposition is being filed in connection with a Joint Request for Approval of Settlement (to which this letter is attached). I submit that this withdrawal of my opposition would serve the public interest by facilitating the implementation of new digital television broadcast service, preserving existing low power broadcast service, and conserving Commission resources in evaluating conflicting positions in this proceeding.

In addition, subject to the terms and conditions of the Settlement Agreement, I hereby declare my support of the proposed WLBT-DT channel change, the issuance of a construction permit to WLBT-DT authorizing operation on Channel 9, the grant of the above-referenced application for assignment of WBMS-CA and the affirmation of Class A status for WBMS-CA, all subject to and as set forth in the Settlement Agreement.

By: 
Gene A. Blalock

Date 2/19/04

Joint Request Exhibit 3

**CIVCO WITHDRAWAL OF APPLICATION
FOR REVIEW AND PETITION TO DENY**

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Amendment of Section 73.622(b), Table of Allotments
Digital Television Broadcast Stations (Jackson, Mississippi)
MM Docket No. 01-43
RM-10041

Gene Blalock
WBMS-LP, Jackson, Mississippi (Facility Id. 23473)
Application for Class A License
File No. BLTVA-20010712AHC

WBMS-CA, Jackson, Mississippi (Facility Id. 23473)
Application for Assignment of License from Gene Blalock
to Mississippi Television, LLC
File No. BALTVA-20030401CJZ

Dear Ms. Dortch:

As licensee of WLBT (Jackson, Mississippi), CivCo, Inc. ("CivCo") respectfully withdraws its (a) application for review of the grant of Class A status to WBMS-CA, Jackson, Mississippi and (b) petition to deny the assignment of WBMS-CA to Mississippi Television, LLC in the above-referenced proceedings. This withdrawal of opposition is being filed in connection with a Joint Request for Approval of Settlement (to which this letter is attached). CivCo submits that this withdrawal of its opposition would serve the public interest by facilitating the implementation of new digital television broadcast service, preserving existing low power broadcast service, and conserving Commission resources in evaluating conflicting positions in this proceeding.

In addition, CivCo hereby declares its support of the grant of the above-referenced application for assignment of WBMS-CA and the affirmation of Class A status for WBMS-CA in connection with the proposed WLBT-DT channel change and the issuance of a construction permit to WLBT-DT authorizing operation on Channel 9, all subject to and as set forth in the Settlement Agreement.

CIVCO, INC.

By: 

Tina Ford, President

Date: February 19, 2004

Joint Request Exhibit 4

**DECLARATIONS OF PARTIES
TO SETTLEMENT AGREEMENT**

DECLARATION

I, Gene A. Blailock, hereby declare as follows:

1 I am the licensee of low power television station WBMS-CA, Jackson, Mississippi ("WBMS") and have personal knowledge of those matters set forth in the Joint Request for Approval of Settlement (the "Joint Request").

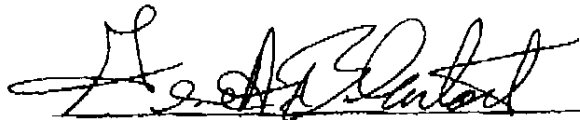
2 I filed an opposition to the *Notice of Proposed Rule Making* ("NPRM") in the matter of Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Jackson, Mississippi), MM Docket No. 01-43, RM-10041. In that rule making proceeding, the Commission proposed allotting Channel 9 to WLBT-DT (Jackson, Mississippi), licensed to CivCo License Holding Company, Inc., the predecessor and parent company of CivCo, Inc. ("CivCo"), which is the current licensee of WLBT-TV, Jackson, Mississippi. I subsequently filed a reply and further pleadings in the proceeding.

3 I am simultaneously herewith withdrawing my opposition to the NPRM and all subsequent pleadings in connection with the Joint Request. The Settlement Agreement attached as Exhibit 1 to the Joint Request resolves a conflict regarding the potential displacement of WBMS due to the proposed WLBT-DT channel change. My opposition to the NPRM was not filed for the purpose of reaching or carrying out a settlement agreement.

4 I have not received or been promised any money or other consideration or reimbursement of expenses except as expressly set forth in the Settlement Agreement.

5 The Settlement Agreement would serve the public interest by facilitating the implementation of new digital television broadcast service, preserving and enhancing the existing Class A low power broadcast service of WBMS, and conserving Commission resources in evaluating conflicting arguments in the allotment proceeding.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. Dated this 19th day of February, 2004.


GENE A. BLAIlOCK

DECLARATION

I, Tina Ford, hereby declare as follows:

1 I am the President of CivCo, Inc., licensee of full service television station WLBT-TV, Jackson, Mississippi, and have personal knowledge of those matters set forth in the Joint Request for Approval of Settlement (the "Joint Request").

2 CivCo, Inc. filed a petition to deny the application of Gene Blalock, licensee of low power television station WBMS-CA ("WBMS"), Jackson, Mississippi, for Class A status, and subsequently filed an application for review of the grant of Class A status to WBMS-LP, which application for review is currently pending before the Commission.

3 On April 1, 2003, CivCo, Inc. filed a petition to deny the application of Blalock to assign the license for WBMS to Mississippi Television, LLC, File No. BAL TVA-20030401CJZ. CivCo subsequently submitted additional pleadings.

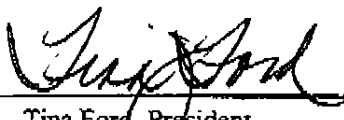
4 Blalock and CivCo have entered into the settlement agreement included in the Joint Request pursuant to which, subject and conditioned upon the Commission's approval by final order of the Joint Request, issuance of the Allotment Order and the WLBT-DT Construction Permit, CivCo would withdraw its application for review of the grant of Class A status to WBMS and its petition to deny the application for assignment of the WBMS license to Mississippi Television, LLC and its subsequent pleadings in that proceeding.

5 CivCo's oppositions to the Blalock Class A application and its oppositions to the WBMS assignment application were not filed for purposes of reaching or carrying out a settlement agreement. CivCo has not received or been promised any money or other consideration or reimbursement of expenses except as expressly set forth in the Settlement Agreement.

6 The Settlement Agreement would serve the public interest by facilitating the implementation of new digital television broadcast service, preserving and enhancing the existing Class A low power broadcast service of WBMS, and conserving the Commission's resources in evaluating the application for review filed by CivCo against the grant of Class A status to WBMS.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. Dated this 19th day of February, 2004.

CIVCO, INC.

By: 
Tina Ford, President

DECLARATION

Mississippi Television, LLC ("MissTV") hereby declares as follows:

1. I am the proposed assignee of low power television station WBMS-CA, Jackson, Mississippi ("WBMS") and have personal knowledge of those matters set forth in the Joint Request for Approval of Settlement (the "Joint Request").
2. The present licensee of WBMS, Gene Blailock, filed an opposition to the *Notice of Proposed Rule Making* ("NPRM") in the matter of Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Jackson, Mississippi), MM Docket No. 01-43, RM-10041. In that rule making proceeding, the Commission proposed allotting Channel 9 to WLBT-DT (Jackson, Mississippi), licensed to CivCo License Holding Company, Inc., the predecessor and parent company of CivCo, Inc. ("CivCo"), which is the current licensee of WLBT-TV, Jackson, Mississippi. Blailock subsequently filed a reply and further pleadings in the proceeding.
3. I am aware of and consent to Blailock's withdrawal of his opposition to the NPRM and of all subsequent pleadings in connection with the Joint Request. The Settlement Agreement attached as Exhibit 1 to the Joint Request resolves a conflict regarding the potential displacement of WBMS due to the proposed WLBT-DT channel change. To the knowledge of MissTV, no opposition to the NPRM was filed for the purpose of reaching or carrying out a settlement agreement.
4. I have not received or been promised any money or other consideration or reimbursement of expenses except as expressly set forth in the Settlement Agreement.
5. The Settlement Agreement would serve the public interest by facilitating the implementation of new digital television broadcast service, preserving and enhancing the existing Class A low power broadcast service of WBMS, and conserving Commission resources in evaluating conflicting arguments in the allotment proceeding.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. Dated this 19th day of February, 2004.

MISSISSIPPI TELEVISION, LLC

By: 

Sheldon H. Galloway
President

CERTIFICATE OF SERVICE

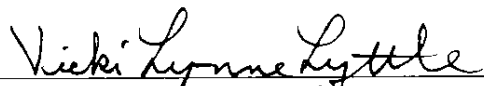
I, Vicki Lynne Lyttle, a secretary at Dow, Lohnes & Albertson, PLLC, do hereby certify that on this 20th day of February, 2004, a copy of the foregoing "Joint Request for Approval of Settlement" was sent by hand delivery to the following:

Barbara Kreiman
Federal Communications Commission
445 12th Street, SW, Room 2-A666
Washington, DC 20554

Clay Pendarvis
Federal Communications Commission
445 12th Street, SW, Room 2-A662
Washington, DC 20554

Hossein Hashemzadeh
Federal Communications Commission
445 12th Street, SW, Room 2-C866
Washington, DC 20554

Pamela Blumenthal
Federal Communications Commission
445 12th Street, SW, Room 2-A860
Washington, DC 20554


Vicki Lynne Lyttle